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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff,	)	Magistrate Docket No. '08 MJ 0310
v.	)	COMPLAINT FOR VIOLATION OF:
Roberto Carlos ARANGURE-Billela, Defendant	)	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **February 1, 2008** within the Southern District of California, defendant, **Roberto Carlos ARANGURE-Billela,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **4th** DAY OF **February 2008**

Ruben B. Brooks
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Roberto Carlos ARANGURE-Billela

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On February 1, 2008 Border Patrol Agent C. Moore was performing uniformed linewatch duties near an area known as the "Sewage Treatment Plant". This area is approximately one and a half miles west of the San Ysidro, California Port of Entry and is approximately 250 yards north of the International Boundary Fence. The "Sewage Treatment Plant" is an area used by illegal entrant aliens to further their illegal entry into the United States.

At approximately 8:50 P.M., Agent Moore received a report from Sector Dispatch of a seismic intrusion device activation. Agent Moore responded to the area and initiated a search. Agent Moore soon spotted an individual, later identified as the defendant **Roberto Carlos ARANGURE-Billela**, lying in the brush. Agent Moore identified himself as a United States Border Patrol Agent and questioned the defendant as to his country of citizenship and nationality. The defendant freely admitted to being a citizen and national of Mexico illegally present in the United States. The defendant also admitted that he was not in possession of documents that would permit him to enter or remain in the United States legally. At approximately 9:00 P.M., Agent Moore arrested the defendant and had him transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on or about **January 21, 2003** through **Calexico, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

Executed on February 3, 2008 at 9:00 A.M.

Paul W. Broderick, Jr.
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of 1 page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **February 1, 2008,** in violation of Title **8**, United States Code, Section **1326**.

Ruben B. Brooks
United States Magistrate Judge

2/3/2008 at 9:55 a.m.
Date/Time